

## LONDON DESIGN & ENGINEERING UTC

### Privacy Notice for the UTC's Workforce

The General Data Protection Regulation (GDPR) comes into force on 25 May 2018 and will replace the current Data Protection Act governing how the London Design and Engineering UTC processes personal data. The GDPR is an EU regulation and despite Brexit the Government has confirmed that it will apply to the UK.

The GDPR was developed to create a more up to date law for data protection reflecting the changes in the digital age and strengthening the rights of individuals and how their personal data is processed and protected. Many of the GDPR's main concepts and principles are much the same as those in the Data Protection Act but with new elements and enhancements and a greater emphasis on accountability and how organisations demonstrate their compliance.

#### **The categories of workforce information that we collect, process, hold and share include:**

- personal information (such as name, employee or teacher number, national insurance number)
- contact details (such as address, telephone number, mobile number, private e-mail address, next of kin details)
- special categories of data including characteristics information such as gender, age, ethnic group, religion, disabilities, religion and sexual orientation.
- contract information (such as references, start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- payroll information (bank account details, tax codes, NI contributions, pension contributions)
- any relevant medical information

#### **Why we collect and use this information**

The LDE UTC uses school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;

- support individuals so that they can be develop and excel;
- enable individuals to be paid

## The lawful basis on which we process this information

The LDE UTC will collect and process its workforce information under Articles 6 and 9 of the EU General Data Protection Regulation 2016/679 (GDPR), which come into force on 25 May 2018 – i.e. under:

- **Consent:** the individual has given clear consent for the LDE UTC to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for drawing up and fulfilling the contract of employment.
- **Legal obligation:** the processing is necessary for the LDE UTC to comply with the law particularly with regards safeguarding students and complying with health and safety requirements.
- **Public task:** the processing is necessary for the LDE UTC to be able to provide appropriate information to both the DfE and ESFA and DfE to comply with requirements (such as the annual School Workforce Census) to be able to continue to operate and receive public funds as a state funded school.

Details of DfE Data Collections can be found at:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## Collecting this information

- Whilst the majority of information provided by individuals to the LDE UTC is mandatory, some of it will be provided on a voluntary basis. In order to comply with data protection legislation, the LDE UTC will inform individuals whether they are required to provide certain school workforce information or if they have a choice in providing this information or not.

## Storing this information

LDE UTC will hold school workforce data for seven years after which it will be destroyed and or deleted safely and confidentially.

## Who we share this information with

The LDE UTC will routinely share this information with:

- the Department for Education (DfE)
- the Education and Skills Funding Agency

## Why we share school workforce information

The LDE UTC will not share information about workforce members with anyone without consent unless the law and its policies allow it to do so.

### Department for Education (DfE)

The LDE UTC will share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

The LDE UTC is required to share information about its students with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies, free schools, UTCs and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The Department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the department: <https://www.gov.uk/contact-dfe>

## Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact:

- **Brooke Holdgate – HR Lead**
- **E-mail:** [Brooke.Holdgate@ldeutc.co.uk](mailto:Brooke.Holdgate@ldeutc.co.uk)
- **Tel: 0203 019 7315**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Further information**

If you would like to discuss anything in this privacy notice, please contact:

- **Victoria Webb – Chief Information Officer**
- **E-mail: [victoria.webb@ldeutc.gov.uk](mailto:victoria.webb@ldeutc.gov.uk)**
- **Tel: 07591 206 289**